

FACSIMILE COVER SHEET

Date: May 20, 2010

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I hereby certify that this correspondence is being facsimile transmitted to Examiner Baturay at facsimile no.: 571-273-3981 on the below date:

Date: May 20, 2010

Name: Sara E. Vessely

Signature: **NOT FOR PUBLIC RECORD****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Kenji Ishii et al.

Appln. No.: 10/772,223

Filed: February 3, 2004

For: APPARATUS AND A METHOD FOR
OPTIMIZING NETWORK RESOURCES
EMPLOYED IN DATA COMMUNICATION

Examiner: Alicia Baturay

Art Unit: 2446

Confirmation No.: 2202

Attorney Docket No: 9683/165

PROPOSED INTERVIEW AGENDA**FAX Number:** 571-273-3981**Date/Time of Interview:** May 25, 2010 from 1:00-2:00 pm EST**Agenda:**

1. Discuss the 35 USC §103 rejection of claim 29 in view of the cited references and, in particular, the features of claim 29 of:

a function relocation unit configured to analyze, in response to an instruction of relocation, a current available node resource based on statuses of node resources in a network, to determine new node locations of node functions, and to relocate the node functions to the new node locations through an addition of executable code at the new node locations, the node functions relocated in accordance with a relocation plan;

Application Serial No: 10/772,223

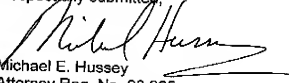
Attorney Docket No.: 9683/165

a path restructure unit configured to restructure a structure of paths in the network into an optimum condition in accordance with statuses of link resources in the network and in response to an instruction of restructuring ... ; and

a control unit configured to determine whether transmission of the instruction of relocation to the function relocation unit is necessary and whether transmission of the instruction of restructuring to the path restructure unit is necessary based on the statuses of node resources and the statuses of link resources, wherein the control unit is further configured to selectively transmit the instruction of relocation and the instruction of restructuring.

2. Discuss the 35 USC §103 rejection of claim 30 in view of the cited references and, in particular, the features of claim 30 of "relocation of the node functions to the new node locations includes a relocation of the node function from the first device to the second device"
3. Discuss the 35 USC §103 rejection of claim 31 in view of the cited references and, in particular, the features of claim 31 of "transmit the instruction of relocation ... and transmit the instruction of restructuring."
4. Discuss the 35 USC §103 rejection of claim 32 in view of the cited references and, in particular, the features of claim 32 of "the function relocation unit."

Respectfully submitted,


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